

S.B. Criminal Misc. Bail Application No.3751/2006

Date : 05.09.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. M.K. Garg for the applicant.

Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The allegation against the accused applicant is that he purchased the the vehicle in question from which contraband material alleged to have been recovered.

Learned counsel for the applicant submits that in this case vehicle in question is not of the applicant and there is no evidence available on record to connect the accused with the crime and only on the basis of statement of the co-accused he has been involved in this case. In last, he submits that charge-sheet has been filed, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicant on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Narayan son of Modi Ram shall be released on bail in FIR No.277/2005 P.S. Nimbaheda, District Chittorgarh, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.